



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

January 13, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION AND NOTICE OF INTENTION TO AUCTION COUNTY SURPLUS
REAL PROPERTY – 2300 SAN MARCO DRIVE, HOLLYWOOD
(THIRD DISTRICT) (4 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the County has no present or future need for the property located in the City of Los Angeles, at 2300 San Marco Drive, as shown on the attached map (Attachment A) and legally described in Exhibit A attached to the Resolution and Notice of Intention (Attachment B), and adopt the Resolution setting a date for the public auction.
2. Find that the proposed sale of the surplus real property is categorically exempt from the California Environmental Quality Act (CEQA).
3. Instruct the Executive Officer/Clerk of the Board to cause publication of the Resolution and Notice of Intention in accordance with Section 25528 of the Government Code and to set a date for public auction.

IT IS RECOMMENDED THAT, AFTER THE PUBLIC AUCTION, YOUR BOARD:

1. Approve the sale of the County's right, title and interest to the successful bidder(s) and instruct the Chairman to approve and execute, upon presentation, a quitclaim deed, which will have been approved as to form by County Counsel.

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2. Instruct the Auditor-Controller to deposit the first \$175,275 of the sale proceeds into an account administered by the Department of Parks and Recreation (Parks) with any remaining proceeds to be deposited into the Asset Development Implementation Fund as directed by the Chief Administrative Office (CAO).
3. Authorize the CAO to execute all necessary documents, including a purchase and sale agreement to complete the sale transaction, upon approval of the documents by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to offer at public auction County-owned real property considered surplus to the present and future needs of the County. The property is improved with a single family residence which was constructed in the 1930's. This real property is a part of the John Anson Ford Theater land area and was the subject of recent litigation to confirm real estate title with respect to a claim of ownership by a private party through adverse possession against the County. The County prevailed in Superior Court and the ensuing judgment confirmed ownership of the property by the County. As currently improved, the property is physically separated from the Ford Theater property by San Marco Drive making it unfeasible to incorporate or otherwise combine it with the Ford Theater property.

As a result, Parks and CAO have determined that the subject property is considered surplus to the County's needs. The sale of this property will provide the County funds that can be better allocated for the rehabilitation, purchase or construction of other County facilities.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The County of Los Angeles Strategic Plan directs that we strengthen the County's fiscal capacity (Goal 4). The sale of this property to the highest bidder will provide funds that can be used to finance improvements as part of the plan to preserve and protect the County's critical infrastructure (Strategy 2).

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FISCAL IMPACT/FINANCING

It has been determined by CAO staff appraisal that the fair market value of the property is \$300,000. Setting a minimum bid less than the fair market value will generate the maximum amount of interest in the real estate community and should result in the property being sold at, or in excess of, its appraised value. Therefore, the minimum bid has been set at \$225,000. The property will be sold for all cash. A \$25,000 deposit in cash or cashier's check will be required at the conclusion of the auction with the remaining balance due within 90 days.

County Counsel, in the course of defending the County's ownership rights to the property, has incurred expenses equal to \$175,275. These expenses were charged to the Parks Department over several fiscal years and this action would reimburse the Parks Department for those expenditures. Accordingly, sales proceeds equal to said amount will be first allocated to the Parks Department with any remaining proceeds from the sale to be deposited into the Asset Development Implementation Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This property has been surveyed by the Department of Public Works which confirms that it consists of approximately 1,297 square feet of land, improved with a 688 square foot residential building and an attached one car garage. The County ownership of the property has been confirmed by judgment of the Superior Court, and the County is in possession of the property.

The County has inspected the property and identified a number of deficiencies that may adversely affect the eventual sales price. For instance, it has been determined that the existing house's south exterior wall is located five inches onto the privately owned property to the south, the house is not properly connected to the municipal water system and may not be connected to public sewer. Additionally, the property suffers from deferred maintenance including poor condition of the roof and exterior decks. The property is being offered in its "as is" condition without any warranties as to its condition.

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The offer of the property by public auction is authorized by Sections 25520 to 25538, inclusive, of the California Government Code which authorizes the sale of real property. Notification of your Board's intended action will be published in compliance with Government Code Section 6063. Pursuant to Government Code Sections 65402 and 54222, the appropriate government agencies, including the City of Los Angeles, have been notified of the County's intent to sell the property and none have indicated any interest in purchasing the property or any objection to its sale.

In accordance with your Board's policy, the deed reserves the mineral rights for the property to the County.

County Counsel has reviewed all documents related to the conveyance and has approved them as to form.

ENVIRONMENTAL DOCUMENTATION

The recommended action is categorically exempt under Class 12 of the State CEQA Guidelines and the revised Environmental Document Reporting Procedures and Guidelines adopted by your Board.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

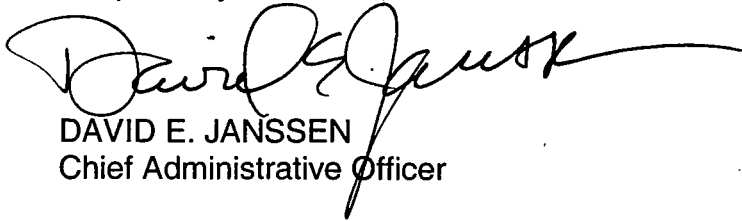
Inasmuch as the building was never used for public purposes, the sale of this property will have no impact on current County services.

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CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, return an original copy of the executed Notice of Intention, and two certified copies of the Minute Order, and the adopted, stamped Board letter to the CAO Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012 for further processing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David E. Janssen", with a long horizontal flourish extending to the right.

DAVID E. JANSSEN
Chief Administrative Officer

DEJ:CWW
CB:CK:cc

Attachments (2)

c: County Counsel
Auditor-Controller
Department of Parks and Recreation

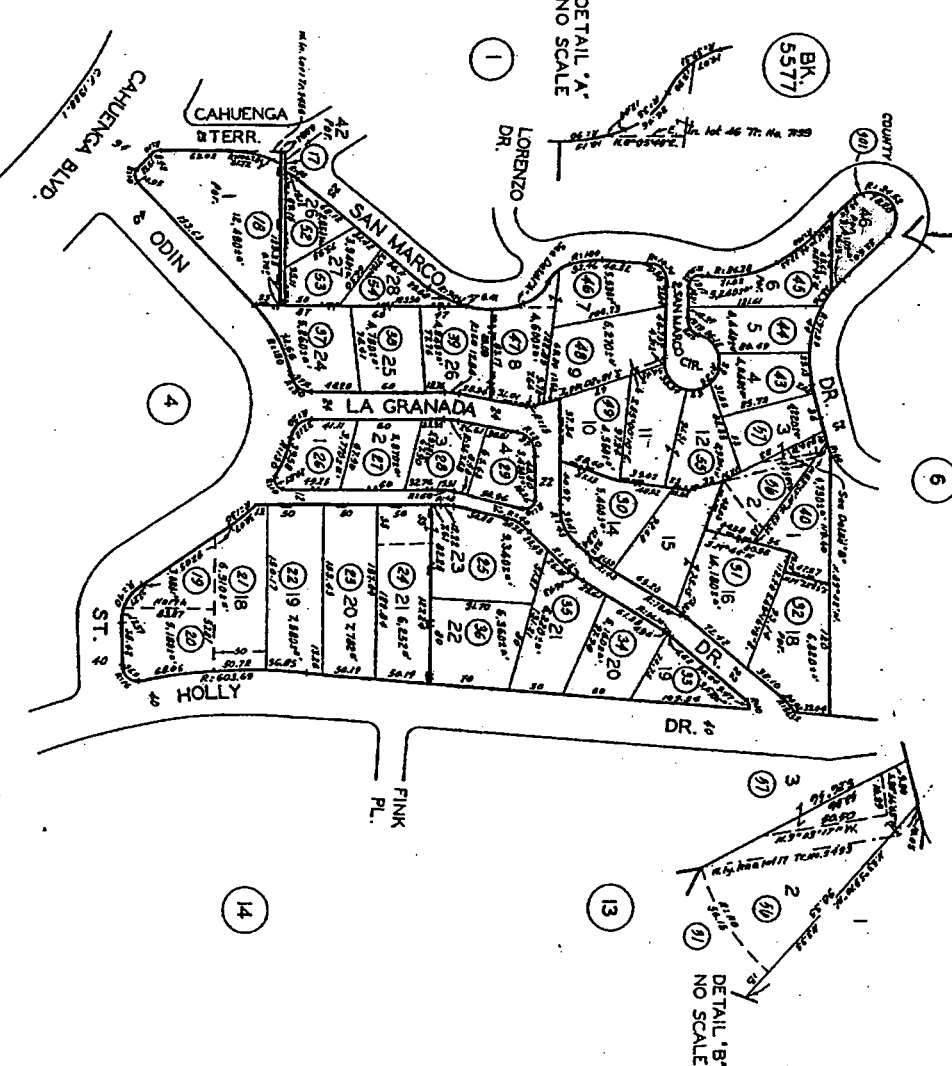
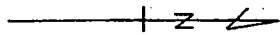
ATTACHMENT A

2300 San Marco Drive, Los Angeles

MAP

5576 5
100'

Site



CODE
13

HOLLYWOOD HEIGHTS M.B. 1 - 48
TRACT NO. 3456 - M.B. 37 - 85
TRACT NO. 5493 - M.B. 78 - 31 - 32
TRACT NO. 7139 - M.B. 83 - 61 - 62
TRACT NO. 9644 - M.B. 141 - 48 - 49

FOR FURTHER ASSUMPT SEE:
5576 - 36, 37 & 38

ACCESSORS MAP
COUNTY OF LOS ANGELES, CALIF.

80008103
41054625-86

ATTACHMENT B

Resolution and Notice of Intention to Sell

2300 San Marco Drive, Los Angeles

**RESOLUTION AND NOTICE OF INTENTION TO SELL
COUNTY SURPLUS REAL PROPERTY
AT PUBLIC AUCTION**

2300 SAN MARCO DRIVE, LOS ANGELES

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California ("Board of Supervisors"), has found and determined that the County-owned real property hereinafter described is not required for public use;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, as follows:

1. That it is the intention of said Board of Supervisors, on the _____ day of _____, 2004 at 9:30 A.M., in the Hearing Room of the Board of Supervisors, Room 381 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012, to sell at public auction, that County-owned surplus real property located at 2300 San Marco Drive, City of Los Angeles, County of Los Angeles, and legally described in Exhibit "A" attached hereto and incorporated herein by reference and made a part hereof as though set forth in full.

2. The property consists of approximately 1,297 square feet of land improved with a 688 square foot residential building and a one car attached garage. The property is zoned R1-1 (Residential).

3. The minimum bid that will be considered by the Board of Supervisors is TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$225,000). Any bids less than that amount will not be considered by the Board of Supervisors. Said Board of Supervisors reserves the right to reject any and all bids and to withdraw the property from sale at any time.

4. The sale will be for all **CASH** with \$25,000 due at the time of sale and the balance remaining to be paid in full within ninety (90) days of the date of the auction under the following terms and conditions:

SUBJECT TO AND BUYER TO ASSUME:

- a. All taxes, interest, penalties and assessments of record, if any.
- b. Covenants, conditions, restrictions, reservations, easements, rights and rights-of-way of record, if any.

5. Sealed bids must be filed in the Executive Office, Board of Supervisors, Room 383 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012 prior to 9:30 A.M. on the day of the auction as set forth in Paragraph No. 1 above.

6. At the time of the auction, sealed bids will be opened and oral bids will be heard provided that the first oral bid exceeds by at least five percent (5%) the amount of the highest sealed bid. Should two or more sealed bids be identical as to highest bid amounts, priority shall be established as to the bid received first in accordance with Paragraph No. 5 above. When bidding on the property, a bidder will be required to identify himself and state clearly the amount of the bid. It is the intention of this paragraph that the following bid requirements and/or conditions set forth herein shall apply to sealed bids and oral bids alike.

7. The successful bidder will be required at the close of the auction to pay the full amount of the successful bid with **TWENTY FIVE THOUSAND DOLLARS (\$25,000.00)** in cash or cashier's check, and execute a Purchase Agreement. The Purchase Agreement must be executed without modification.

8. Purchaser must also sign any and all documents and pay whatever fees are required following the auction. Said fees shall include the deed recording fees and Documentary Transfer Tax and City of Los Angeles Transfer Tax. County shall obtain the recordation of the deed and transmit Purchaser's check for said fee to the County Recorder on behalf of Purchaser.

9. Purchaser must furnish title vesting in writing to the County no later than five (5) working days following the auction. If more than one signature is required on any document, the same period of time will be allowed for Purchaser to obtain the signature(s).

10. No warranty or representation is made by the County with respect to location, size and zone of the property. Such data is set forth for information only and shall not be deemed to be part of the legal description by which the property will be offered for sale or sold. The property will be sold by quitclaim deed using the legal description contained in Exhibit "A". County will not provide a policy of title insurance.

11. The property is offered for sale and will be sold in its "as is" condition, without any warranty, express or implied or representation by County as to its physical condition or suitability for use, including but not limited to, the condition of the soils or ground water on or under the property, and the presence of pollutants or contaminants therein. **Purchaser is advised of the following:**

A. The property does not meet the City of Los Angeles minimum lot size requirements; as a result the Buyer must investigate any entitlement issues with the City of Los Angeles.

B. The County has determined that the property is not currently connected to any municipal water service; as a result the Buyer will need to install, at his or her sole expense, separately metered water service.

C. It is unknown if the property is connected to the public sewer.

D. A five (5) inch portion of the south side of the dwelling is located on the neighboring parcel (Assessor Parcel Number 5576 005 045).

12. Sale of the property shall reserve and except there from unto the County of Los Angeles, all oil, gas, hydrocarbons, or other minerals in and under the described property without the right to the use of the surface and subsurface to a depth of 500 feet, measured vertically, from the surface of the real property.

13. Copies of the title report and map showing the location and size of the property are available for inspection in the office of Real Estate Division, 222 South Hill Street, 3rd Floor, Los Angeles, California 90012.

14. If Purchaser fails to abide by the terms and conditions as set forth above, said sale, at the option of the County, may be rescinded and all or part of the Twenty Five Thousand Dollars (\$25,000.00) down payment may be held by the County to offset any damages, costs or expenses which may accrue to the County by reason of said Purchaser's failure to comply.

The foregoing Resolution was on the _____ day of _____, 2003 adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer, Board of Supervisors

By _____

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel

By 
Deputy County Counsel

Resolution

EXHIBIT A

2300 San Marco Drive, Los Angeles

Legal Description

M03D177708
JOHN ANSON FORD THEATER
Filed with: PILGRIMAGE PLAY PARK (1)
A.P.N. 5576-005-901
T.G. 593 (E2, 3)
I.M. 144-177
Third District

LEGAL DESCRIPTION

PARCEL NO. 1-1EX.1:

That portion of Lot 46 of Hollywood Heights, as shown on map recorded in Book 1, page 48, of Maps, in the office of the Recorder of the County of Los Angeles, within the following described boundaries:

Beginning at a point in the northerly line of Lot 6, Tract No. 9644, as shown on map recorded in Book 141, pages 48 and 49, of said Maps, distant easterly along said northerly line 3.50 feet from the most westerly corner of said Lot 6; thence North 45°16'00" West 6.00 feet along that certain course having a bearing and distance of S. 45°16' E. 23.50 feet in the generally easterly sideline of San Marco Drive as described in deed to the City of Los Angeles, recorded in Book 7371, page 293, of Official Records, in the office of said Recorder; thence North 6°42'00" East 3.50 feet; thence North 23°38'00" East 3.50 feet; thence North 43°40'00" East 10.75 feet to the beginning of a tangent curve concave southeasterly and having a radius of 14.00 feet; thence northeasterly along said curve through a central angle of 43°48'00" an arc distance of 10.70 feet; thence tangent to said curve North 87°28'00" East 19.00 feet to the beginning of a tangent curve concave southerly and having a radius of 28.00 feet; thence easterly along said last mentioned curve through a central angle of 27°19'46" an arc distance of 13.36 feet to said generally easterly sideline; thence southerly along said generally easterly sideline to said northerly line; thence westerly along said northerly line to the point of beginning.

Containing: 1297+ square feet.

APPROVED AS TO DESCRIPTION

January 6, 2003

COUNTY OF LOS ANGELES

By

[Signature]
SUPERVISING CADASTRAL ENGINEER II

Mapping and Property Management Division